

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TENTH DAY'S PROCEEDINGS

**Twenty-Eighth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 29, 2002

The Senate was called to order at 5:00 o'clock P.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

ABSENT

Hines
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Father Allen Trouille, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions
on Second Reading, Subject to Call**

The following House Concurrent Resolutions were read and acted upon as follows:

Called from the Calendar

Senator Hainkel asked that House Concurrent Resolution No. 56 be called from the Calendar at this time.

**HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVE TRICHE AND SENATOR HAINKEL
A CONCURRENT RESOLUTION**

To commend Kirby J. Ducote for thirty-five years of dedicated and highly effective service as the public policy liaison for the Roman Catholic bishops of Louisiana.

The resolution was read by title. Senator Hainkel moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hines	Johnson
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Morning Hour Resumed

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 14—

BY SENATORS GAUTREAUX AND LAMBERT

A CONCURRENT RESOLUTION

To create a study commission to evaluate and coordinate state policy options to mitigate the projected impact of global changes in climate as they relate to our wetlands, agricultural activities, the economy, and the environment.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR DUPRE

A CONCURRENT RESOLUTION

To create the South Central Louisiana Shrimp Fisherman's Legislative Advisory Committee to study and monitor the shrimp industry and to make recommendations to the Legislature of Louisiana and to the Wildlife and Fisheries Commission for the maximization of benefits pertaining to the management and development of the shrimp industry for the state of Louisiana and its citizens.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 22—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect commemorative signs along the West Florida Republic Parkway.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To urge and request the Aviation Division of the Department of Transportation and Development, in conjunction with the Federal Aviation Administration, the Federal Communications Commission, the Louisiana Police Jury Association, and the Louisiana Municipal Association, to study methods by which to eliminate the hazards unmarked towers present to certain aircraft.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 26—

BY SENATOR FONTENOT AND REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To urge and request a reaffirmation of the principles of government set forth in the Declaration of Independence, articulated by many past presidents, and recognize the influence those principles can have in bolstering the character, honor, and sense of duty in the citizens of our great state and nation.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATORS SCHEDLER, THOMAS AND MCPHERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, the Louisiana State University Health Sciences Center-Health Care Services Division, and the Louisiana State University Health Sciences Center-Shreveport to continue their review of a common acute care hospital payment methodology.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create the Forensic Strategic Task Force to study the feasibility of implementing the components of an effective comprehensive statewide system to address the demands of the increasing adult forensic population and its economic burden on health care services in the state of Louisiana.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATOR THEUNISSEN AND REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To designate June 4, 2002 as "Johnny Fruge Day at the Capitol".

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 38—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To commend the Southern University at New Orleans men's basketball team on winning the Gulf Coast Athletic Conference and the Gulf Coast Athletic Conference Tournament and to recognize Coach Earl R. Hill on being selected as the Coach of the Year of the Gulf Coast Athletic Conference.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To express the sincere condolences of the members of the Louisiana Legislature upon the death of Eugenia Sentell Kennon, widow of former governor Robert Kennon, homemaker, mother, grandmother, great-grandmother, and former First Lady of the state of Louisiana.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Privilege Report of the
Legislative Bureau**

May 29, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 12—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact Section 2 of Act No. 45 of the 1998 Regular Session of the Legislature, as amended by Section 1 of Act No. 7 of the 2000 Regular Session of the Legislature, relative to the imposition of the occupational license tax on utilities selling electricity or gas in more than one municipality; to extend the applicability of the law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 95—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 47:301(10)(t) and (18)(h), relative to state sales and use taxes; to define retail sale and use to exclude the acquisition and distribution of telephone directories distributed free of charge by advertising companies not affiliated with telephone service providers; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 141—

BY REPRESENTATIVES HAMMETT AND DEWITT

AN ACT

To amend and reenact R.S. 47:606(A)(1)(e) through (k) and to enact R.S. 47:287.95(K) and (L) and 606(A)(1)(l) and (m), relative to corporation income and franchise tax apportionment by telephone, television, and radio businesses; to provide for attribution of revenue to Louisiana; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 266 (Substitute for House Bill No. 132 by Representative Townsend)—

BY REPRESENTATIVES TOWNSEND, DANIEL, FARRAR, MONTGOMERY, ALARIO, DOERGE, KENNEY, SCHNEIDER, AND THOMPSON

AN ACT

To amend and reenact R.S. 22:1065(A), relative to insurance taxes; to provide for an increase in the minimum annual license tax assessed upon the business of issuing certain insurance policies,

contracts, and obligations; to provide for the use thereof; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 28—

BY SENATOR HAINKEL

A RESOLUTION

To proclaim Wednesday, May 29, 2002 as "Hibernia People for Good Government Day" in the Louisiana Senate.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR HAINKEL AND REPRESENTATIVE MCVEA

A CONCURRENT RESOLUTION

To recognize and commend the Wildcats of Silliman Institute for an outstanding season of baseball and for capturing the Mississippi Private School Association 3-A baseball championship.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Lambert	Thomas
Dupre	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Hines

Johnson

Jones, C

Total—3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 104—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 229—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2002-2003; and to provide for related matters.

HOUSE BILL NO. 262—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 40:1501.6, relative to fire protection districts; to authorize fire protection districts in certain parishes to levy and collect sales and use taxes not to exceed one-half of one percent; to provide for voter approval; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Lentini asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 104—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:603, relative to the corporation franchise tax; to exclude from borrowed capital certain indebtedness of vehicle, boat, and equipment dealers; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 229—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 2002-2003; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 262—

BY REPRESENTATIVE R. CARTER

AN ACT

To enact R.S. 40:1501.6, relative to fire protection districts; to authorize fire protection districts in certain parishes to levy and collect sales and use taxes not to exceed one-half of one percent; to provide for voter approval; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to road hazards and make specific recommendations for limiting the liability of the state.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE HUNTER AND SENATOR C.D. JONES

A CONCURRENT RESOLUTION

To urge and request the governor and state agencies to take steps to provide for the transfer or use of state land to or by the city of Monroe for the purpose of the enhancement and expansion of the Louisiana Purchase Gardens and Zoo.

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide prescription drug coverage to qualified Medicare beneficiaries on a pilot basis and to provide for the areas covered in the pilot.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES SCALISE AND ANSARDI

A CONCURRENT RESOLUTION

To commend Richard Palmer for thirty-three years of outstanding service to the Jefferson Parish School System.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Romero asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to study all aspects of liability relating to road hazards and make specific recommendations for limiting the liability of the state.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Judiciary A.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE HUNTER AND SENATOR C.D. JONES

A CONCURRENT RESOLUTION

To urge and request the governor and state agencies to take steps to provide for the transfer or use of state land to or by the city of Monroe for the purpose of the enhancement and expansion of the Louisiana Purchase Gardens and Zoo.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to provide prescription drug coverage to qualified Medicare beneficiaries on a pilot basis and to provide for the areas covered in the pilot.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVES SCALISE AND ANSARDI

A CONCURRENT RESOLUTION

To commend Richard Palmer for thirty-three years of outstanding service to the Jefferson Parish School System.

The resolution was read by title. Senator Lentini moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Marionneaux
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dean	Lambert	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—37		

NAYS

Total—0

ABSENT

Hines	Johnson
Total—2	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

May 29, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To request the Senate Committee on Senate and Governmental Affairs and the House of Representatives Committee on House and Governmental Affairs to meet jointly to study and make recommendations relative to identifying and punishing candidates and political committees who engage in scurrilous and defamatory conduct during an election campaign.

Reported favorably.

Respectfully submitted,

CHRIS ULLO

Chairman

REPORT OF COMMITTEE ON**EDUCATION**

Senator Theunissen, Chairman on behalf of the Committee on Education, submitted the following report:

May 29, 2002

To the President and Members of the Senate:

I am directed by your Committee on Education to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 30—

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Education and the House Committee on Education to meet and function as a joint committee to study the feasibility of establishing a system of priority funding to students who meet all eligibility requirements for the Tuition Opportunity Programs for Students and who enter a program of study leading to a baccalaureate degree in an occupation that has been designated as an area of critical shortage or an occupation in "top demand" by the Louisiana Occupational Forecasting Conference.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 35—

BY SENATOR HOLDEN

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the Wireless Classroom Project being implemented in the state of Georgia and the feasibility of implementing similar pilot programs in Louisiana.

Reported favorably.

Respectfully submitted,

GERALD J. THEUNISSEN

Chairman

REPORT OF COMMITTEE ON**REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 29, 2002

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

HOUSE BILL NO. 157—

BY REPRESENTATIVES LANDRIEU, K. CARTER, DARTEZ, HUNTER, AND L. JACKSON AND SENATOR BAOJIE

AN ACT

To enact R.S. 47:841(B)(4) and (5) and 841.1, relative to the tobacco tax; to increase the tax on cigarettes; to provide for deposit and use of proceeds from the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 166—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 167—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 169—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To enact R.S. 47:302(P) and 331(N), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 190—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact R.S. 47:201.1(E), relative to individual income tax; to authorize an exemption from composite return and payment requirements for nonresident partners or members for publicly traded partnerships; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Barham asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 157—

BY REPRESENTATIVES LANDRIEU, K. CARTER, DARTEZ, HUNTER, AND L. JACKSON AND SENATOR BAJOE

AN ACT

To enact R.S. 47:841(B)(4) and (5) and 841.1, relative to the tobacco tax; to increase the tax on cigarettes; to provide for deposit and use of proceeds from the tax; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 157 by Representative Landrieu

AMENDMENT NO. 1

On page 2, line 23, delete "seventy-two percent" and insert "forty-two and eight tenths percent"

AMENDMENT NO. 2

On page 2, line 27, after "Center" delete "including" and insert "and twenty-nine and two tenths percent of monies collected under authority of R.S. 47:841(B)(4) shall be used solely for the purposes of"

AMENDMENT NO. 3

On page 3, line 1, after "school system" insert "and community development programs"

AMENDMENT NO. 4

On page 3, line 2, after "among" insert "children and"

AMENDMENT NO. 5

On page 3, line 4, after "use." insert the following: "The Southern University Board of Supervisors shall participate in the planning and expenditure of funds for the creation of smoking prevention mass media programs and evidence-based tobacco control programs as specified in this paragraph."

AMENDMENT NO. 6

On page 3, line 17, after "Center" insert "and the Southern University Agricultural Research and Extension Center, provided that the annual appropriation to Southern University Agricultural Research and Extension Center from this source shall be \$1 million per year"

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 166—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 167—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 169—

BY REPRESENTATIVES DEWITT AND HAMMETT

AN ACT

To enact R.S. 47:302(P) and 331(N), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 169 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, after "302(P)" insert ", 321(H),"

AMENDMENT NO. 2

On page 1, line 6, after "302(P)" insert ", 321(H),"

AMENDMENT NO. 3

On page 1, line 11, after "Chapter," delete "for" and on line 12, delete "the period July 1, 2002 through June 30, 2004,"

AMENDMENT NO. 4

On page 2, line 2, after "no effect" insert "from July 1, 2002"

AMENDMENT NO. 5

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On page 2, between lines 3 and 4, insert:

"§321. Imposition of tax

* * *

H. Notwithstanding any other provision of law to the contrary, including but not limited to any contrary provisions of this Chapter, the exemptions to the tax levied pursuant to the provisions of this Section, except for those exemptions provided by R.S. 39:467 and 468, R.S. 47:305(A)(1), (B), (D)(1)(f), (j), (k), (l), (m), (s), and (t), and (G), 305.1, 305.2, 305.3, 305.8, 305.10, 305.14, 305.15, 305.20, 305.25(A)(1) and (2), 305.37, 305.38, 305.46, and 305.50, and R.S. 51:1787, shall be inapplicable, inoperable, and of no effect from July 1, 2002.

* * *

AMENDMENT NO. 6

On page 2, delete line 7, and insert "the exemptions to"

AMENDMENT NO. 7

On page 2, line 13, after "effect" insert "from July 1, 2002"

AMENDMENT NO. 8

On page 2, line 19, after "no effect" delete the remainder of the line

AMENDMENT NO. 9

On page 2, line 20, delete "through June 30, 2004," and after "302(P)" insert ", 321(H)," and after "shall" delete the remainder of the line and delete line 21, and insert "be permanently inapplicable, inoperable, and of no effect."

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 190—

BY REPRESENTATIVE M. JACKSON

AN ACT

To enact R.S. 47:201.1(E), relative to individual income tax; to authorize an exemption from composite return and payment requirements for nonresident partners or members for publicly traded partnerships; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 190 by Representative M. Jackson

AMENDMENT NO. 1

On page 1, line 3, delete "return and"

AMENDMENT NO. 2

On page 1, line 12, delete "composite return"

AMENDMENT NO. 3

On page 1, at the end of line 15, after "number" delete the remainder of the line and insert a period "." and delete line 16, and insert: "The secretary may request"

AMENDMENT NO. 4

On page 2, line 1, change "The" to "If granted, the"

AMENDMENT NO. 5

On page 2, at the end of line 4, insert: "The secretary may revoke the exemption if the secretary determines that the non-resident partners are not filing and paying individual income taxes on their own behalf."

AMENDMENT NO. 6

On page 2, between lines 4 and 5, insert: "(3) Publicly traded partnerships shall file a composite return that includes all non-resident partners who were partners on December 31 of the year prior to the due date of the return."

AMENDMENT NO. 7

On page 2, line 5, change "(3)" to "(4)"

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 42—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 47:6016, relative to tax credits; to grant a refundable credit against income and corporate franchise tax for the purchase of certain items from certain contractors employing inmate labor; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 42 by Senator Fontenot

AMENDMENT NO. 1

On page 4, after line 2, insert the following:

"Section 4. This Act shall cease to be effective on January 1, 2006, provided that the Louisiana Constitution requires a fiscal only regular session of the legislature in April, 2006. Should the electors amend the constitutional provisions of Article III, Section 2 changing fiscal only sessions to odd numbered years, this Act shall cease to be effective on January 1, 2007."

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Campbell	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, C	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Fields	Hines
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 57— BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 47:305(D)(5) relative to exclusions and exemptions from sales and use taxes; to provide or authorize an exemption for the sale, administration, or procurement of certain prescription drugs from local sales taxes; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 57 by Senator Thomas

AMENDMENT NO. 1

On page 3, delete lines 9 through 12, and insert the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the

time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Thomas moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Hines
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Thomas moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 80— BY SENATOR HOLDEN

AN ACT

To enact R.S. 48:27, relative to the issuance of revenue anticipation bonds for the purpose of financing transportation projects; to authorize the State Bond Commission, acting on behalf of the state of Louisiana and the Department of Transportation and Development, to issue revenue anticipation bonds in order to finance all or a portion of the costs incurred or to be incurred for accelerated construction of transportation projects; to authorize the State Bond Commission to fix the details of such obligations and to provide for the sale of such obligations from time to time at public or private sales; to provide for the pledge of federal highway funds received by the state of Louisiana; to provide that the interest income from such obligations shall be exempt from all taxation within the state; and to provide for related matters.

On motion of Senator Holden, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 87(Substitute for Senate Bill No. 66 by Senator Boissiere)—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 22:1068(E)(1), (2)(d), and (3), R.S. 51:1923(1), (5), and (6)(a)(i), 1924(B) and (D)(1), (2), (5), and (E) and (F), 1926(A)(1), (2), (3)(a), and (H)(3), 1927.1, 1928(B)(2) and (C)(3), and 1931, and to enact R.S. 51:1923(11), (12), (13), (14), (15), (16), (17), (18), (19) and (20), 1926(A)(4), 1927.2, 1928(B)(3), 1934(C), and 1935(C), relative to the certified capital companies; to provide for the determination of the amount of tax credits available to certified capital companies; to provide for qualified investments by certified capital companies; to define certain terms; to provide for allocation of certified capital for which tax credits are allowed; to provide for carry forward of tax credits; to provide for the transfer or sale of income or premium tax credits; to provide for annual audits following decertification of investment pools; to require annual reports to the legislature; to provide for disclosure of information concerning certified capital companies; and to provide for related matters.

On motion of Senator Boissiere, the bill was read by title and returned to the Calendar, subject to call.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that Senate Bill No. 26 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 26—

BY SENATORS BARHAM, BEAN, CAIN, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAUX, HOLLIS, HOYT, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, THEUNISSEN, AND THOMAS, AND REPRESENTATIVES, DANIEL, ALEXANDER, BEARD, BOWLER, CRANE, CROWE, DAMICO, DARTEZ, DIEZ, DOWNER, DURAND, ERDEY, FAUCHEUX, FLAVIN FRITH, FRUGE, FUTRELL, HEBERT, HUDSON, HUTTER, JOHNS, KATZ, KENNARD, LANCASTER, MARTINY, MCDONALD, MCVEA, MORRISH, NEVERS, PERKINS, PIERRE, PITRE, POWELL, SCALISE, SHAW, SMITH, SNEED, STELLY, STRAIN, TOOMY, TUCKER, WADDELL AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:601, 602, 603, 604, the introductory paragraph of 606(A), and 606(C) and to repeal R.S. 47:603 effective July 1, 2009, relative to the corporation franchise tax; to reduce the tax on certain taxable capital; to reduce the amount of borrowed capital included in taxable capital until it is phased out; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 26 by Senator Barham

AMENDMENT NO. 1

On page 1, line 4, after "tax;" delete the remainder of the line and on line 5, delete "taxable capital;"

AMENDMENT NO. 2

On page 5, line 1, after "from its" delete the remainder of the line and insert: "~~capital stock, surplus, undivided profits, and borrowed capital~~ **taxable capital**"

AMENDMENT NO. 3

On page 6, line 24, delete "capital" and delete line 25, and insert: "~~capital stock, surplus, undivided profits, and borrowed capital~~ **taxable capital** as defined"

AMENDMENT NO. 4

On page 7, between lines 16 and 17, insert the following:

"R.S. 47:602(G) is all proposed new law.

G. The portion of the deduction for "investments in and advances to" a subsidiary as provided for in this Section which is composed of loans and advances to a subsidiary shall be reduced by the same percentage and at the same time as is provided for the reduction of borrowed capital in R.S. 47:603(A)."

On motion of Senator Barham, the amendments were adopted.

On motion of Senator Barham, the amended bill was read by title and returned to the Calendar, subject to call.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 53 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 53—

BY SENATOR ROMERO

AN ACT

To enact R.S. 47:301(16)(i), (24) and (25), relative to state and local sales and use tax; to define tangible personal property to exclude certain digital broadcasting conversion equipment; to provide a tax credit for the purchase of certain equipment; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert on behalf of the Legislative Bureau to Engrossed Senate Bill No. 86 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 13, following "47:301(14)(i)(ii)(bb)" and before the period "." insert ", as enacted by Act No. 1175 of the 2001 Regular Session of the Legislature"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 86 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "(13)(g)" insert "and (h)"

AMENDMENT NO. 2

On page 1, line 9, after "(13)(g)" insert "and (h)"

AMENDMENT NO. 3

On page 2, line 5, after "telephone" insert ", or any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 4

On page 2, line 8, after "telephone" insert "or personal communications device, or any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 5

On page 2, line 10, after "telephone" insert "or personal communication device, or any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 6

On page 2, line 20, after "telephone" insert "or any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 7

On page 2, line 24, after "telephone" insert "personal communications device, or any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 8

On page 3, line 3, after "telephone" insert "any electronic accessories that interact with such telephones and personal communication devices"

AMENDMENT NO. 9

On page 3, line 10, after "telephone" insert "personal communication device, or any electronic accessories that interact with such telephones and personal communications devices"

AMENDMENT NO. 10

On page 3, line 14, after "disposition" insert "by the dealer" and after "telephone" delete the remainder of the line and insert ", personal communication device, or any electronic accessories that interact with such telephones and personal communications devices."

AMENDMENT NO. 11

On page 3, between lines 15 and 16, insert the following:

"Section 2. R.S. 47:301(13)(h) is hereby enacted to read as follows:

§301. Definitions

R.S. 47:301(13)(h) is all proposed new law.

As used in this Chapter the following words, terms, and phrases have the meaning ascribed to them in this Section, unless the context clearly indicates a different meaning:

(13) * * *

(h) For the purpose of the imposition of sales and use tax imposed or levied by all taxing authorities in the state of any cellular, PCA or wireless telephone, or electronic accessories that interact with such telephones and personal communications devices used in connection with the sale or use of mobile telecommunications services, as defined in R.S. 47:301(10)(v) effective August 1, 2002, the term "sales price" shall mean and include the greater of (i) the amount of money actually received by the dealer from the purchaser for each such telephone, accessories, or personal communication devices or (ii) twenty-five percent of the cost of such telephone, accessories, or personal communication devices to the dealer but, shall not include any amount received by the dealer from the purchaser for providing mobile telecommunications services and any commissions, fees, rebates, or other amounts received by the dealer from any source other than the purchaser as a result of or in connection with the sale of the telephone or personal communication device."

AMENDMENT NO. 12

On page 3, line 16, change "Section 2." to "Section 3." and after "provisions of" insert "Section 1 of"

AMENDMENT NO. 13

On page 3, line 21, after "provisions of" insert "Section 1 of"

AMENDMENT NO. 14

On page 4, line 3, change "Section 3." to "Section 4."

On motion of Senator Ellington, the amendments were adopted.

The bill was read by title. Senator Ellington moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie

Fields

Malone

Page 12 SENATE

May 29, 2002

10th DAY'S PROCEEDINGS

Barham	Fontenot	Marionneaux
Bean	Gautreaux	McPherson
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, C	Ullo
Ellington	Lentini	
Total—35		

NAYS

Mr. President	Romero
Total—2	

ABSENT

Hines	Lambert
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Malone asked that Senate Bill No. 72 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 72— BY SENATOR MALONE

AN ACT

To enact R.S. 33:2711.15, relative to municipal sales and use taxes; to authorize the governing body of the city of Shreveport to levy and collect an additional sales and use tax; to provide for voter approval; to provide for terms and renewals; to provide for a termination date of such authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 72 by Senator Malone

AMENDMENT NO. 1

On page 3, line 10, after "primary" insert "or general elections" and delete "in 2006"

AMENDMENT NO. 2

On page 3, line 11, delete "in 2007" and insert "immediately prior to the expiration date of the tax"

AMENDMENT NO. 3

On page 3, line 19, after "year" delete the remainder of the line and lines 20 and 21 in their entirety and on line 22 delete "2002 fiscal year"

AMENDMENT NO. 4

On page 3, line 24, after "items" insert a "." and delete the remainder of the line and lines 25, 26 and 27 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 through 15 and on line 16 change "(c)" to "(b)"

On motion of Senator Malone, the amendments were adopted.

The bill was read by title. Senator Malone moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Hines
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 40—

BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL
AN ACT

To amend and reenact R.S. 47:305.50(A)(1)(a) and Section 2 of Act No. 8 of the 1996 Regular Session of the Legislature, as amended by Act No. 41 of the 1998 Regular Session of the Legislature and as amended by Act No. 27 of the 2000 Regular Session of the Legislature, relative to the sales and use tax; to extend the time limitation for the exemption for certain buses, trucks, and trailers used in interstate commerce; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator B. Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Malone
Bean	Ellington	McPherson
Cain	Gautreaux	Mount
Campbell	Holden	Romero
Chaisson	Jones, B	Schedler
Dardenne	Jones, C	Smith
Dean	Lentini	Theunissen
Total—21		

NAYS

Mr. President	Fontenot	Tarver
Boissiere	Irons	Thomas
Cravins	Johnson	Ullo
Fields	Marionneaux	
Total—11		

ABSENT

Barham	Hollis	Michot
Heitmeier	Hoyt	
Hines	Lambert	
Total—7		

The Chair declared the bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Marionneaux asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 40. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 49—

BY REPRESENTATIVES BRUNEAU AND DOWNER
AN ACT

To amend and reenact R.S. 4:67(A), relative to boxing and wrestling; to increase the maximum amount of tax proceeds which can be collected by the State Boxing and Wrestling Commission per contest or exhibition; and to provide for related matters.

The bill was read by title. Senator Johnson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Bajoie	Fontenot	Mount
Barham	Heitmeier	Romero
Bean	Holden	Schedler
Boissiere	Hollis	Smith
Campbell	Hoyt	Tarver
Chaisson	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones, C	Ullo
Dupre	Lentini	
Ellington	Malone	
Total—31		

NAYS

Cain	Marionneaux
Dean	Michot
Total—4	

ABSENT

Gautreaux	Jones, B
Hines	Lambert
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Johnson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 54—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact Section 2 of Act No. 29 of the 1996 Regular Session of the Legislature, as amended by Act No. 21 of the 1998 Regular Session of the Legislature, as amended by Act No. 28 of the 2000 Regular Session of the Legislature, relative to sales and use tax; to provide for the effectiveness of the exemption for boiler fuel; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Lentini
Barham	Ellington	Malone
Bean	Fontenot	McPherson
Boissiere	Gautreaux	Michot

Cain	Heitmeier	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Total—30		

NAYS

Mr. President	Johnson	Tarver
Fields	Lambert	
Holden	Marionneaux	
Total—7		

ABSENT

Hines	Schedler
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 73—

BY REPRESENTATIVES FARRAR AND THOMPSON
AN ACT

To enact R.S. 47:305.25(C), relative to exclusions and exemptions from sales and use taxes for farm equipment; to authorize a city or parish school board, the governing authority of any municipality, and the governing authority of any parish to grant an exemption from sales and use taxes for farm equipment; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fields	Malone	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Hines
---------------	-------

Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator McPherson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 82—

BY REPRESENTATIVES DANIEL, DIEZ, FAUCHEUX, FLAVIN, FUTRELL, HEBERT, HUDSON, QUEZAIRE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 47:301(16)(g)(iii) and (iv), relative to the sales and use tax; to extend the definition of tangible personal property as it applies to excluding certain transactions relating to manufactured homes to all tax authorities in the state; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Reengrossed House Bill No. 82 by Representative Daniel

AMENDMENT NO. 1

On page 3, line 19, delete "is used for" and insert "the buyer certifies is intended solely for use as"

On motion of Senator Fontenot, the amendments were adopted.

The bill was read by title. Senator Fontenot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Barham	Fontenot	Malone
Bean	Gautreaux	Marionneaux
Boissiere	Heitmeier	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, C	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Hines	McPherson
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 130—

BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL
AN ACT

To amend and reenact R.S. 47:305(D)(1)(i) and (H), relative to the sales and use tax; to provide relative to trucks and automobiles used as demonstrators; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 135—

BY REPRESENTATIVES MONTGOMERY, FAUCHEUX, AND HILL
AN ACT

To amend and reenact Section 3 of Act No. 12 of the 1996 Regular Session of the Legislature, as amended by Act No. 10 of the 1998 Regular Session of the Legislature and by Act No. 28 of the 2000 Regular Session of the Legislature, relative to sales and use tax; to extend the time limitation of the exclusion for certain transactions involving motor vehicles purchased for subsequent lease; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

**Privilege Report of the
Legislative Bureau**

May 29, 2002

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 157—

BY REPRESENTATIVES LANDRIEU, K. CARTER, DARTEZ, HUNTER, AND
L. JACKSON AND SENATOR BAJOE
AN ACT

To enact R.S. 47:841(B)(4) and (5) and 841.1, relative to the tobacco tax; to increase the tax on cigarettes; to provide for deposit and use of proceeds from the tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 166—

BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT

To amend and reenact R.S. 47:551(A) and to enact R.S. 47:551(D)(3) and (4), relative to the taxation of rental of automobiles; to extend the automobile rental tax; to provide for the dedication of a portion of the tax; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 167—

BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT

To amend and reenact Section 4 of Act No. 32 of the 2000 Regular Session, relative to the tobacco tax; to extend the additional tax of four-twentieths of one cent per cigarette; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 169—

BY REPRESENTATIVES DEWITT AND HAMMETT
AN ACT

To enact R.S. 47:302(P) and 331(N), relative to the state sales and use tax; to provide relative to the effectiveness of certain exemptions to the tax; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 190—

BY REPRESENTATIVE M. JACKSON
AN ACT

To enact R.S. 47:201.1(E), relative to individual income tax; to authorize an exemption from composite return and payment requirements for nonresident partners or members for publicly traded partnerships; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR MCPHERSON

A CONCURRENT RESOLUTION

To direct the secretary of Department of Wildlife and Fisheries to place the coordination and administration of the hunter certification and education program under the office of wildlife.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR C. JONES

A CONCURRENT RESOLUTION

To acknowledge the sacrifices of Addie Mae Collins, Denise McNair, Carole Robertson, and Cynthia Wesley and the impact their deaths had on the civil rights movement in America.

The resolution was read by title. Senator C. Jones moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fields	Marionneaux
Barham	Fontenot	McPherson
Bean	Gautreaux	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Romero
Campbell	Hollis	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, C	Thomas
Dupre	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Hines
Total—3

Hoyt

Malone

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 68—

BY REPRESENTATIVE THOMPSON

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to property taxation; to authorize the State Board of Commerce and Industry to contract with developers of retirement communities for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 84—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4351 through 4356, relative to property taxation; to authorize the Board of Commerce and Industry to enter into ad valorem tax exemption contracts for development of retirement communities; to provide for contract terms and conditions; and to provide for related matters.

HOUSE BILL NO. 124—

BY REPRESENTATIVES HAMMETT, DANIEL, AND MONTGOMERY

AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use tax; to define tangible personal property to exclude certain digital television and digital radio conversion equipment; to provide a tax credit for the purchase of certain equipment; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 244—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 47:462(B)(2)(c) and R.S. 56:10.1, relative to registration tax on light trailers; to provide for an additional tax; to create the Aquatic Plant Control Fund in the state treasury; to provide for deposit of monies into the fund; to provide for

appropriation and uses of monies in the fund; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Smith asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 68—

BY REPRESENTATIVE THOMPSON

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(J) of the Constitution of Louisiana, relative to property taxation; to authorize the State Board of Commerce and Industry to contract with developers of retirement communities for the exemption of ad valorem taxes; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 84—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact Chapter 5 of Subtitle V of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:4351 through 4356, relative to property taxation; to authorize the Board of Commerce and Industry to enter into ad valorem tax exemption contracts for development of retirement communities; to provide for contract terms and conditions; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 124—

BY REPRESENTATIVES HAMMETT, DANIEL, AND MONTGOMERY

AN ACT

To enact R.S. 47:301(16)(h), relative to state and local sales and use tax; to define tangible personal property to exclude certain digital television and digital radio conversion equipment; to provide a tax credit for the purchase of certain equipment; to provide for an effective date; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 244—

BY REPRESENTATIVE MORRISH

AN ACT

To enact R.S. 47:462(B)(2)(c) and R.S. 56:10.1, relative to registration tax on light trailers; to provide for an additional tax; to create the Aquatic Plant Control Fund in the state treasury; to provide for deposit of monies into the fund; to provide for

appropriation and uses of monies in the fund; and to provide for related matters.

On motion of Senator Lambert, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to implement a program to use compost blends, including sugarcane compost, as part of the coastal reclamation program.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVES JOHNS, FLAVIN, GUILLORY, HILL, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Inaugural Class of the Louisiana Fast Pitch Softball Hall of Fame to be inducted on June 1, 2002, in Lake Charles.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, AND TRICHE AND SENATORS DUPRE AND GAUTREAUX

A CONCURRENT RESOLUTION

To commend the shipmates of the *USS Terrebonne Parish* upon their second annual reunion.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE BEARD

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to implement a program to use compost blends, including sugarcane compost, as part of the coastal reclamation program.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVES JOHNS, FLAVIN, GUILLORY, HILL, MORRISH, AND STELLY AND SENATORS CAIN, MOUNT, AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend the Inaugural Class of the Louisiana Fast Pitch Softball Hall of Fame to be inducted on June 1, 2002, in Lake Charles.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Fields	Malone
Hines	Tarver
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 62—

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, AND TRICHE AND SENATORS DUPRE AND GAUTREAUX

A CONCURRENT RESOLUTION

To commend the shipmates of the *USS Terrebonne Parish* upon their second annual reunion.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
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Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Campbell	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, C	Ullo
Dupre	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Fields	Malone
Hines	Tarver
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 8—

BY REPRESENTATIVE BAUDOUIN AND SENATOR ULLO

A CONCURRENT RESOLUTION

To memorialize the United States Congress to assist the Federal Trade Commission, the Food and Drug Administration, and the U.S. Department of Agriculture in addressing the potential human health risks associated with chloramphenicol residues found in crawfish, shrimp, and prawns imported from China.

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVES TRICHE, E. ALEXANDER, CRANE, CROWE, HONEY, HUDSON, KENNARD, KENNEY, NEVERS, PEYCHAUD, POWELL, SALTER, SWILLING, WINSTON, ALARIO, R. ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOUIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CURTIS, DAMICO, DANIEL, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GALLOT, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, McDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PITRE, QUEZAIRE, RICHMOND, RIDDLE, ROMERO, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WADDELL, WALSWORTH, WELCH, WOOTON, AND WRIGHT AND SENATORS BARHAM, BEAN, BOISSIERE, CAIN, CHAISSON, DARDENNE, DEAN, DUPRE, ELLINGTON, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES,

LAMBERT, LENTINI, MALONE, MICHOT, MOUNT, ROMERO, SMITH,
TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To urge and request the state Board of Elementary and Secondary Education to develop and implement an age and grade appropriate curriculum for diabetes awareness education and a policy for school diabetes screenings in all city, parish, and other local public school systems.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Desiree Renay Gray on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. KaShonna Renee Conner on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Byrolynn N. Belvitt on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Charece E. Johnese on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE MORRELL

A CONCURRENT RESOLUTION

To congratulate Ms. Jalisha Vontrell Anderson on being presented at the Debutante Cotillion of Mu Sigma Chapter of Sigma Gamma Rho Sorority.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVES KENNARD, CRANE, DANIEL, ODINET, SALTER, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, ARNOLD, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BRUNEAU, CAPELLA, K. CARTER, R. CARTER, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, FUTRELL, GREEN, GUILLORY, HAMMETT, HEBERT, HILL, HOPKINS, HUDSON, HUTTER, ILES, M. JACKSON, JOHNS, KATZ, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MCVEA, MORRELL, MORRISH, NEVERS, PIERRE, PITRE, POWELL, QUEZAIRE, RIDDLE, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, SWILLING, THOMPSON, TOOMY, TOWNSEND, TRICHE, TUCKER, WADDELL, WELCH, AND WOOTON

A CONCURRENT RESOLUTION

To commend and congratulate Britni Sneed upon the completion of her outstanding legacy at Louisiana State University and for her unparalleled contributions to LSU softball.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To commend the members of the Stanley High School Baseball Team of Stanley upon winning the Class C Baseball State Championship.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 29, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 14—

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2001-2002 to the Department of Social Services, office of community services, to provide for reimbursement of legal expenses of E. Patrice Waldrop.

HOUSE BILL NO. 66—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the claim against the state entitled "Trunkline Gas Company v. Cynthia Bridges, Secretary of Department of Revenue, State of Louisiana"; and to provide for related matters.

HOUSE BILL NO. 78—

BY REPRESENTATIVE CAZAYOUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Cayuse Pipeline, Inc. v. Secretary, Department of Revenue, State of Louisiana", and to pay the judgment rendered by the Board of Tax Appeals in the claim against the state entitled "Louisiana Employers-Managed Insurance Company, Successor of Louisiana Employers Safety Association Self-Insurers Fund v. State of Louisiana"; and to provide for related matters.

HOUSE BILL NO. 83—

BY REPRESENTATIVE LEBLANC

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "Western Auto Supply Company v. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

HOUSE BILL NO. 91—

BY REPRESENTATIVE BRUNEAU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the claim against the state entitled "Lafourche Realty Company, Inc. v. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

HOUSE BILL NO. 143—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:287.86(I), relative to the corporation income tax; to provide relative to the use of the net operating loss deduction after certain reorganizations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 145—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:6006(A), 6006.1(A) and (B)(introductory paragraph), 6008(A), 6012(B), and 6014(B) and to enact R.S. 47:6006.1(B)(6) and 6014(C)(7), relative to certain tax credits; to clarify the tax credits that estates and trusts are allowed to receive; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 146—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To repeal R.S. 47:633.1, relative to the severance tax; to repeal the special rate for gas sold under certain written agreements; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 147—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 26:345 and 347, relative to alcoholic beverage taxes; to provide for tax credit or refund of taxes paid on certain unsaleable products of low alcoholic content; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 148—

BY REPRESENTATIVES HAMMETT, DEWITT, HUTTER AND SCHNEIDER AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:1205(A), relative to the gift tax; to provide for an annual exclusion from the tax; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 149—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:287.92(B) and 287.93(A) and to repeal R.S. 47:287.94(H) and (I) and 287.95(I), relative to income tax; to provide for segregation of items of gross income, computation of net allocable income from Louisiana sources, computation of net apportionable income for Louisiana sources, and determination of Louisiana apportionment percent; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 150—

BY REPRESENTATIVES HAMMETT AND DEWITT AND SENATOR B. JONES

AN ACT

To amend and reenact R.S. 47:287.732(A) and to enact R.S. 47:287.732(C) and 287.732.1, relative to the state income tax liability of S corporations and qualified Subchapter S subsidiary corporations; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 180—

BY REPRESENTATIVE FUTRELL

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the recommendation for payment rendered by the Board of Tax Appeals in the claim against the state entitled "The Foxboro Company v. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Hines 1 Day

Adjournment

Senator Lambert moved that the Senate adjourn until Thursday, May 30, 2002, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Thursday, May 30, 2002.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk